

Appl. No. : ???
Filed : July 3, 2003

REMARKS

Amendments to Specification

By this paper, Applicant has amended the specification to include a new docket number and reference to the parent application hereto and incorporation thereof herein. Applicant submits that no new matter is introduced by way of this amendment. A replacement sheet for this amendment is enclosed as page 2 of this document.

Continuation Specification

The Applicant has removed the claim set from the parent application has added a new claim set in the claims section of the continuation application itself. The Applicant has also modified the continuing application by modifying the first paragraph to make reference to a patent number now issued whereas on the parent application the same paragraph said "co-pending application" and did not give an application number. This added paragraph also includes the parent application by reference. This change adds no new matter but just provides the patent number of the now issued sister patent.

IDS

Applicant has submitted an IDS that includes all the art cited in the parent case. Because this art is already in the file of the parent case, the paper versions of these patents are not submitted herewith.

Claims and Species Election

A new set of claims has been appended to the continuation specification as filed herewith. The new claim set has been designed to fall within the same restriction group as elected in the parent case. Independent Claim 1 is similar to Claim 16 in the parent case but focuses on the subscriber modem endpoint instead of the cooperative modem side of the connection. Both claims recite aspects of cooperative training. Independent Claim 9 also focuses on a similar subscriber modem that uses a particular form of cooperative training. Independent Claim 17 is directed to a method of cooperative training between the cooperative and the subscriber modems. Applicant asserts that the claims fall within the species election of the parent case.

Applicant has reviewed the prior art of record, and submits that all the claims submitted herein are not anticipated or rendered obvious by any prior art of record or any proper combination thereof. Applicant requests the examiner to verify this and perform any additional searching needed to examine the claims provided in the continuation application.

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Summary

Applicant respectfully submits that Claims 1-21 are condition for allowance.

Applicant notes that any amendments, cancellations or additions made herein and not substantively discussed above are made solely for the purposes of more clearly and particularly describing and claiming the invention, and not for purposes of overcoming art. The Examiner should infer no (i) adoption of a position with respect to patentability, (ii) change in the Applicant's position with respect to any claim or subject matter of the invention, or (iii) acquiescence in any way to any position taken by the Examiner, based on such amendments, additions or cancellations not substantively discussed.

Furthermore, any remarks made herein with respect to a given claim or amendment are intended only in the context of that specific claim or amendment, and should not be applied to other claims, amendments, or aspects of Applicant's invention.

Applicant specifically reserves the right to prosecute claims of differing and broader scope than those presented herein in a continuation application.

Lastly, Applicant notes that any amendments made by this paper which are not specifically discussed herein are made solely for the purpose of more clearly and particularly pointing out and claiming Applicant's invention.

If the Examiner has any questions or comments which may be resolved over the telephone, he is requested to call the undersigned. The 1-305 437-7670 number can be used for voice mail messages, and the 1-877-235-0999 number is a direct number without voice mail.

Respectfully submitted,

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